

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TESSA DAWN SANTIAGO,

Defendant.

CR-16-68-GF-BMM-JTJ

**ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS AND
GRANTING MOTION TO
CHANGE PLEA**

Defendant Tessa Dawn Santiago appeared before United States Magistrate Judge John Johnston on December 13, 2016, and entered a plea of guilty to one count of Possession with Intent to Distribute Methamphetamine. Judge Johnston entered Findings and Recommendations on December 13, 2016. (Doc. 23.)

Judge Johnston determined: (1) that Santiago was fully competent and capable of entering an informed and voluntary plea; (2) that Santiago was aware of the nature of the charges against her and the consequences of pleading guilty to Possession with Intent to Distribute Methamphetamine as charged in Count I of the Indictment; (3) that Santiago understood her constitutional rights, and the extent to which she was waiving those rights by pleading guilty; and (4) that Santiago's plea of guilty was a knowing and voluntary plea supported by an independent basis in

fact establishing each of the essential elements of the offense charged in Count I of the Indictment. *Id.* at 1-2.

Judge Johnston recommended that this Court accept Santiago's plea of guilty to Possession with Intent to Distribute Methamphetamine as charged in Count I of the Indictment. *Id.* at 2. Neither party filed objections. The Court has reviewed Judge Johnston's Findings and Recommendations for clear error.

McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). The Court finds no error.

Accordingly, **IT IS ORDERED** that Magistrate Judge Johnston's Findings and Recommendations (Doc. 23) is **ADOPTED IN FULL**. Santiago's Motion to Change Plea (Doc. 16) is **GRANTED**.

DATED this 3rd day of January, 2017.



Brian Morris
United States District Court Judge